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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,678	08/21/2003	Anthony Olson	P1899US00	8297

32709 7590 03/12/2007
Gateway Inc
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EXAMINER

DU, THUAN N

ART UNIT PAPER NUMBER

2116

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/12/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/645,678	Applicant(s) OLSON, ANTHONY	
	Examiner Thuan N. Du	Art Unit 2116	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-9 and 11-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-9 and 11-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. It is hereby acknowledged that the following papers have been received and placed of record in the file: amendment (dated 2/1/07).
2. Claims 2 and 10 have been cancelled. Claims 22-24 have been added. Claims 1, 3-9 and 11-24 are presented for examination.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

4. Claims 1, 3, 7-9, 14, 15, 22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayakawa, Japan Pat. No. 05290662 in view of Sakurai, Japan Pat. No. 10340135 A.
5. Regarding claim 1, Kobayakawa teaches a method for controlling utilization of an external power switch of an information handling system (1), comprising:
 - providing an information handling system with a housing having at least a closed orientation and an open orientation [Fig. 1];
 - detecting an indication from a display closed switch of an information handling system; [Fig. 2; paragraph 0006 of translation] and
 - disabling a transition from a power off state to a power on state from initiation by the external power switch of the information handling system when the detected indication of the

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display closed switch indicates that the housing of the information handling system is in the closed orientation [Figs. 2, 3; paragraphs 0005 and 0006 of translation].

Kobayakawa does not explicitly teach that the power switch located on an external surface of the housing when the housing is in the closed orientation such that the external power switch may be actuated by contact when the information handling system is in the closed orientation. However, one of ordinary skill in the art would have recognized that the teachings of Kobayakawa would be applicable to any power switch, regardless its location, to prevent the accidental actuation of the power switch.

Sakurai teaches an information handling system (1) with a housing having at least a closed orientation and an open orientation [Fig. 1a], wherein the information handling system including a power switch (4) located on an external surface of the housing when the housing is in the closed orientation such that the external power switch may be actuated by contact when the information handling system is in the closed orientation [Fig. 1a,b; 0012-0015, 0019].

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Kobayakawa and Sakurai because it would increase the flexibility of the system by preventing the accidental actuation of the power switch located at any location.

6. Regarding claim 3, Kobayakawa teaches the display closed switch includes
a locking member (4) disposed on at least one of a display portion of the information handling system and an input portion of the information handling system [Fig. 2]; and
a receptacle (5) disposed on at least one of a display portion of the information handling system and an input portion of the information handling system [Fig. 2];

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wherein positioning of the locking member within the receptacle provides in the indication that the display of the information handling system is closed [paragraph 0006].

7. Regarding claims 7 and 8, one of ordinary skill in the art would have recognized that a second criterion for utilization of the external power switch would obviously be applicable in Kobayakawa to increase the flexibility of the system.

8. Regarding claim 22, one of ordinary skill in the art would have recognized that requiring at least two manipulations of external power switch for operation of the external power switch would not only prevent the accidental actuation of the power switch but also allow a user to conveniently operate the power switch.

9. Regarding claims 9, 14, 15 and 23, they do not teach or further define over the limitations recited in the rejected claims above. Therefore, claims 9, 14, 15 and 23 are also rejected as being unpatentable by Kobayakawa in view of Sakurai for the same reasons set forth in the rejected claims above.

10. Claims 4-6, 11-13, 16-21 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayakawa, Japan Pat. No. 05290662 in view of Sakurai, Japan Pat. No. 10340135 A and further in view of Hashimoto, U.S. Pub. No. 2003/0223190.

11. Regarding claims 4, 6, 11, 13 and 24, Kobayakawa and Sakurai teach that the information handling system may obtain at least two orientations (open and closed) but do not teach that the information handling system may obtain at least three orientations. Hashimoto teaches an information handling system may obtain at least three orientations (open, closed and tablet orientations) [Figs. 1-3, 10-12]. It would have been obvious to one of ordinary skill in the art at the time of the invention to use the information handling system as taught by Hashimoto in place

of Kobayakawa-Sakurai information handling system because it would increase the flexibility and convenience for the users.

12. Regarding claims 5 and 12, Kobayakawa teaches that the operation of the power switch is different from at least one other criterion [paragraph 0005].

13. Claims 7, 8, 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayakawa, Japan Pat. No. 05290662.

14. Regarding claims 16-21, they do not teach or further define over the limitations recited in the rejected claims above. Therefore, claims 16-21 are also rejected as being unpatentable over Kobayakawa, Sakurai and Hashimoto for the same reasons set forth in the rejected claims above.

Conclusion

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuan N. Du whose telephone number is (571) 272-3673. The examiner can normally be reached on Monday-Friday: 7:30 AM - 4:00 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rehana Perveen can be reached at (571) 272-3676.

Central TC telephone number is (571) 272-2100.

The fax number for the organization is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

TD
March 5, 2007



THUAN N. DU
PRIMARY EXAMINER